

Monroe County District Attorney Sandra Doorley

March 17, 2022

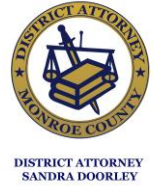


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Monroe County District Attorney's Office Weekly Newsletter



Welcome to the weekly newsletter from Monroe County District Attorney Sandra Doorley.

Message from Sandra Doorley

What is bail reform?

For two years, you have heard discussions surrounding bail reform. These conversations have increased in recent days as Governor Hochul considers supporting new amendments to bail reform.

Beginning in January 2020 and amended in April, bail reform set a list of qualifying and non-qualifying offenses. Non-qualifying offenses, primarily misdemeanors, non-violent felonies and drug cases, are legally not eligible for any form of bail, but are eligible for pre-trial conditions, for example electronic monitoring.

Qualifying offenses are a little more complicated. Qualifying offenses are primarily violent felonies. In these cases, the judge may set three types of bail, typically cash, bond and partially secured bond, though there are more types of bail options.

According to the legislation, the court must utilize the least restrictive means to ensure a defendant's return to court, even for qualifying offenses. The court can no longer just consider the defendant's employment and financial resources, but now must consider the defendant's ability to post bail or secure bond.

What the court CAN do is evaluate the factors that make the defendant a flight risk. Remember, under our law, the purpose of bail is to ensure return to court. The Assistant District Attorneys in my office argue daily that the accusation of a violent offense and a defendant's criminal history often make them a flight risk and, often times, present courts with evidence of flight. Unfortunately, our arguments are not accepted by the courts.

Bail reform is responsible for the decisions of many judges over the past two years, but we are finding that judicial discretion remains for most violent offenses.

Sandra



Homicide Update

So far in 2022:

City of Rochester Total: 14

Monroe County Total: 14

Monroe County Heroin Task Force Update

February 2022

Total Reported ODs: 61

Total Fatalities: 20

Year To Date 2022

Total Reported ODs: 119

Total Fatalities: 35

Highlights from the MCDA's Office

Antonio Muniz was indicted on Murder in the 2nd Degree in relation to the murder of Jesus Pratts on February 10, 2022. This case is being prosecuted by Assistant District Attorney Adam VanHeyst, of the Major Felony Bureau.

27-year-old **Steven Berrios-Rivera** pled guilty to the indictment charging him with Murder in the 2nd Degree for the shooting death of David Alvarez. On October 31, 2020, Steven Berrios-Rivera shot David Alvarez thirteen times following a dispute after a motor vehicle accident in the City of Rochester. Before the altercation, the two were unknown to each other. David Alvarez was transported to Rochester General Hospital, via private vehicle, but was pronounced dead shortly after his arrival. Following the homicide, Berrios-Rivera, a native of Pennsylvania, left New York State. Four months later, the defendant was identified by the Rochester Police Department and located in York, Pennsylvania. He was extradited back to Monroe County. The case was prosecuted by Assistant District Attorney Monica O'Brien, Deputy Chief of the Local Courts Bureau.

Joi Sessoms was indicted on 19 counts of Computer Trespass in relation to unauthorized access of medical records occurring between January of 2018 and April of 2020. This case is being prosecuted by Assistant District John Marsella, of the Public Corruption/Economic Crimes Bureau.

The trial for **David Gardner** and **Kimberly Jones** began this week. These two are on trial for the robbery, abduction and murder of Samuel Ortiz. This case is being prosecuted by First Assistant District Attorney Perry Duckles and Assistant District Attorney Patrick Gallagher, Chief of the Domestic Violence Bureau.

Keevin Lewis was indicted on Vehicular Manslaughter in the 2nd Degree, Driving While Ability Impaired by Drugs and Aggravated Unlicensed Operation of a Motor Vehicle in the 3rd Degree in relation to the death of Matthew Bittner. This case is being prosecuted by Assistant District Attorney Raymond Benitez, Chief of the DWI Bureau.

The trial for **Alexander Laureano** began this week. Laureano is on trial for the robbery and murder of Chernet Tiruneh. This case is being prosecuted by Assistant District Attorney Michael Harrigan, Deputy Chief of the Major Felony Bureau and Assistant District Attorney Kirstin Sippel, also of the Major Felony Bureau.

Eric Benton was indicted on Aggravated Vehicular Assault, Vehicular Assault in the 1st Degree, Assault in the 2nd Degree, Operator Leave Scene of Incident Resulting in Serious Physical Injury, Driving While Intoxicated, Aggravated Driving While Intoxicated, Driving While Intoxicated, Driving While Ability Impaired by Drugs and Driving While Ability Impaired by the Combined Influence of Drugs or Alcohol and any Drug or Drugs in relation to a reckless vehicular assault on November 13, 2021. This case is being prosecuted by Assistant District Attorney Camille Ingino, of the DWI Bureau.

Shamere Thomas was sentenced to 9 years in the New York State Department of Corrections plus 3 years of Post Release Supervision by New York State Supreme Court Justice Renzi. This comes after a Monroe County Jury convicted him of two counts of Criminal Possession of a Controlled Substance in the 3rd Degree and two counts of Criminally Using Drug Paraphernalia in the 2nd Degree after he was found with fentanyl and cocaine with intent to sell. This case was prosecuted by Assistant District Attorney Jennifer Kennedy of the Special Investigations Bureau.

Miguel Cruz-Rivera was indicted on Criminal Possession of a Weapon in the 2nd Degree, Criminal Possession of a Controlled Substance in the 4th Degree and Assault in the 2nd Degree in relation to illegal gun and drug possession and an incident with a police officer. This case is being prosecuted by Assistant District Michael Caranante, of the Major Felony Bureau.

MCDA in the Community

Monroe County District Attorney Sandra Doorley joined Mayor Malik Evans, Advisor on Violence Prevention Programs Victor Saunders, and law enforcement partners from Monroe County at a Violence Prevention Roundtable. This meeting brought together to top agencies to discuss violence prevention and targeted strategies for the ongoing violence in our community.

Happy St. Patrick's Day

Monroe County District Attorney Sandra Doorley served as a judge in this year's Tops St. Patrick's Day Parade! After a two year hiatus, it was great to see the community come together for this fun and cultured tradition despite the cold temperatures.



Members of our office were prepared to celebrate their Irish Culture in our Local Courts Bureau! Pictured below are Carrington Wells, Ellie Laloudakis, Mikki Pelkey and Ryan Mulcahy.



MCDA in the News

<https://www.democratandchronicle.com/story/news/2020/10/31/david-alvarez-dies-shooting-north-clinton-avenue-rochester/6101506002/>

<https://13wham.com/news/local/man-pleads-guilty-to-fatally-shooting-rochester-man-13-times-after-car-accident>

<https://www.whec.com/rochester-new-york-news/pa-man-pleads-guilty-to-murder-in-shooting-that-followed-crash-in-october-2020/6420621/>

<https://www.rochestercitynewspaper.com/rochester/bail-reform-criminal-justice-system-measured/Content?oid=14380790>

<https://www.democratandchronicle.com/story/news/2022/03/13/multiple-shooting-rochester-leaves-two-dead-two-injured/7025499001/>

<https://13wham.com/news/local/large-police-investigation-underway-on-citys-west-side-03-14-2022>

<https://www.nyspnews.com/state-police-investigate-possible-homicide-in-city-rochester.htm>



WE'RE HIRING

We are hiring attorneys! If you are a recent law school graduate or an experienced attorney and are interested in a career in criminal law and public service, apply with us today! More information is available on monroecounty.gov/da.